

## REMARKS

### Amendments to the Claims

5           Claims 13, 14 and 16-18 have been canceled. New claims 19-25 have been added. Claims 19 and 20 are dependent on claim 1. Claims 21-23 are dependent on claim 11. Claim 24 is a new independent claim which is wholly within the scope of claim 1. Claim 25 is dependent on claim 24. Basis for the various features in the new claims will be found on page 6, line 6 (for "polyester"), claim 3 (for the HPC being in the form of  
10 a film having a window therein and the auxiliary component covering the window) and on page 6, lines 25-34 (for the auxiliary component being an atmosphere control member comprising a microporous film having a coating of the non-HPC polymer thereon, the polymer preferably being a side chain crystalline polymer).

### 15   The Restriction Requirement.

          Responsive to the restriction requirement, Applicant elects claims 1-10 and 15 (together with the new claims 19 and 20 dependent on claim 1, and new independent claim 24 and claim 25 dependent on claim 24, added by this amendment). This election  
20 is made without prejudice to Applicant's right to prosecute different claims in one or more continuing applications, and is made **with traverse**, insofar as the restriction requirement relates to the claims of Group I and Group II. The technical feature of the claims of Group I and Group II is not **solely** the use of a hydrophilic polymer composition, but rather the use of a hydrophilic polymer composition **in combination**  
25 **with** an auxiliary component comprising a non-HPC polymeric composition. That combination is not disclosed in US 6,190,710. It is submitted that the restriction requirement must therefore be withdrawn, since the claims of Group I and Group II do relate to a single general inventive concept under PCT rule 13, in that they share the same novel special technical feature, namely the combination of a hydrophilic polymer  
30 composition and an auxiliary component comprising a non-HPC polymeric composition. It is believed that all the claims now in the application should be examined together

**CONCLUSION**

It is submitted that this application is now in condition for allowance. If, however,  
5 the Examiner has any objections or rejections which can usefully be discussed by  
telephone, he is asked to call the undersigned.

Respectfully submitted

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